

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY,
MONSANTO TECHNOLOGY LLC

Plaintiffs,

v.

E.I. DUPONT DE NEMOURS AND
COMPANY and PIONEER HI-BRED
INTERNATIONAL, INC.,

Defendants.

Case No. 4:09-cv-00686(ERW)

**MONSANTO’S MOTION FOR REEXAMINATION
OF THE COURT’S PRIVILEGE DETERMINATIONS**

Pursuant to the Court’s Order of September 22, 2011, Plaintiffs Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”) respectfully request that the Court reexamine the following twenty documents that the Court determined to be non-privileged in whole or in part:

Tab	Document Number	Tab	Document Number
1	MOGAT1441311	11	MOGAT1456809
2	MOGAT1453618	12	MOGAT1459744
3	MOGAT1453644	13	MOGAT1460097
4	MOGAT1453718	14	MOGAT1461342
5	MOGAT1453758	15	MOGAT1441271
6	MOGAT1453901	16	MOGAT1441459
7	MOGAT1454864	17	MOGAT1443311
8	MOGAT1455092	18	MOGAT1444415
9	MOGAT1455584	19	MOGAT1446056
10	MOGAT1455653	20	MOGAT1454957

See Dkt. 894. As instructed by the Court, Monsanto has delivered a binder containing both redacted and unredacted copies of each document listed above, as well as individualized

statements explaining why Monsanto believes each of the documents is privileged. *See id.* at 7. Monsanto relies upon these statements in support of this motion.¹ A declaration containing additional information that substantiates Monsanto's assertions of privilege is included in the binder as Exhibit A.

Dated: October 3, 2011

Respectfully submitted,

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¹ Some of Monsanto's memoranda in support of this motion also request reexamination of documents bearing redactions identical to those identified in the above list.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of October, 2011, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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